

Brookside Deviations Request and Broader Issues Summary – Attachment 5

Modification Request	Change	Brookside Justification	COMDEV General Comments
a. Millstone Lane Alignment.	<ul style="list-style-type: none"> ▪ Millside Road connection on the eastside with Brookside Parkway shifted to the south (renamed Millside Lane or Millstone Lane); ▪ Millside Court connection to Millside Lane (eliminated); ▪ Millstone Lane extended and provides a 2nd Brookside Parkway connection; ▪ Shepherdstown Road is extended to connect to Millstone Lane; ▪ Miller Place, which linked Pump House Court with Brookside Parkway, was eliminated. 	Enhance the neighborhood street network serving Phases 12 and 13 and to provide an additional connection to the Parkway.	<p>Construction plan confusion: two different substitute street names are identified for the former Millside Road (Millside Lane or Millstone Lane).</p> <p>This change has no bearing on the 2002 Concept Development Plan (CDP); only a Preliminary Plat revision is required. No modification request is needed.</p> <p>2002 CDP included as Attachment 6.</p>
b. Dockside Drive	<p>1) This street was Dockside Drive (formerly Brittle Run Road): Fox Chase Road connection with Shepherdstown Road extension was eliminated.</p> <p>2) Lake Drive Extended.</p>	<p>Removal of an unnecessary street and preservation of a forested area; two connections to Shepherdstown Road still occur, along Brittle Ridge Road's (formerly Lakeway Lane) connection to Brookside Parkway.</p> <p>Diverted the extension of Lake Drive further from Lake Ashby to preserve topography (including grade limitations over the major regional natural gas line) and trees</p>	<p>This change has no bearing on the approved rezoning and CDP; only a Preliminary Plat revision is required. No modification request is needed.</p> <p>As reconfigured, Lake Drive extended still crosses the natural gas line, continues further eastward, and follows the general alignment of the eliminated Fox Chase Road and connects to Shepherdstown Road.</p> <p>More comments are provided in item f below.</p>
c. Phase 15: Pump House Court Area	This area had four connected streets: Pump House Lane (Renamed to Parkside Court), Millside Road (Renamed to Millside Lane), Millside Court, and Miller Place. Millside Road and Miller Place intersected	Represents an improved network with fewer streets.	The approved PRD rezoning and CDP do not preclude the elimination of Millside Court and Miller Place. No modification is necessary for that specific design change; only a preliminary plat revision is necessary.

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	with Brookside Parkway. The following 2002 preliminary plat streets were eliminated in the 2009 construction plan: <ul style="list-style-type: none"> ▪ Millside Court; and ▪ Miller Place. 		
d. Phases 12 and 13	Neighborhood Network Change: The 2002 Preliminary Plat for these phases identified Lake Drive and Rt. 793 (Shepherdstown Road) both being extended into Brookside. There also was a network of four internal streets: Dockside Drive (Brittle Run Road) connected to Lake Drive, while Lakeway Lane connected to Rt. 793, with Fox Chase Road and Lakeway Court as lesser local streets. <u>Here Fox Chase Road was eliminated.</u>	The reason provided for the elimination Fox Chase Road was due to the extent of wetlands and upland buffers and topography.	The approved PRD rezoning and CDP do not preclude the elimination of Millside Court and Miller Place. No modification is necessary for that specific design change; only a preliminary plat revision is necessary.
e. Shepherdstown Road (Rt. 793)	Rt. 793 extension would proceed through Lake Drive and connect with proposed Millside Lane (refer to Attachment 9). This connection shown on the construction plans extends Rt. 793 into the Village Center area.	Provides further access to Brookside Parkway.	The approved 2002 Brookside rezoning extended Shepherdstown Road from its property line to Lake Drive extended. However, the change here is inconsistent with a Board of Supervisors resolution that effectively limited this portion of “Brookside Farm” to one point of access to Brookside Parkway via Brittle Ridge Road. More discussion follows with Lake Drive below.
f. Lake Drive	Refer to b (2).	The developer contends that the 2002 Board action was only meant to ensure no direct connection of Lake Drive to the parkway, and did not preclude indirect connections.	The Shepherdstown Road extension here moves a short distance south to intersect with Millside Lane, which provides a second connection between Pond Road (now Boathouse Road) and Lakeway Lane (now Brittle Ridge Road). <u>No other access to the parkway was to be allowed from the Lake Drive area, except at</u>

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			<p><u>the Lakeway Lane location. This “Brookside Farm” neighborhood had planned access to Rt. 793, the parkway and Riley Road (via existing Lake Drive).</u></p> <p>Note further that the proposed Lake Drive to Millside Lane connection with Brookside Parkway cannot be approved either administratively or simply via a preliminary plat revision. Such a connection represented by Millside Lane with Brookside Parkway is simply at odds with the approved 2002 Board resolution regarding Brookside access (refer to Attachment 2). This resolution decision was based on a comprehensive process that included neighborhood citizen input along Lake Drive and Board requested recommendations from the Transportation Committee. (Reference Title: Resolution for the Lake Drive Alternative Selection pursuant to the Brookside Farm Proffer Statement, Item C.2; Approved: 12-16-02).</p> <p>The network proposed herein represents a connectivity improvement from the Department’s perspective, and the referenced 2002 Board decision could be changed. However, such a change requires a public process similar to that convened in 2002 or one further refined by this Board.</p> <p><u>However, the Lake Drive “corridor” decision is further complicated since commercial uses and a public library site locations are being proposed for locations not envisioned in the originally approved rezoning and its Concept Development Plan amendment.</u> The concepts are excellent and need to be pursued further</p>
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			through the rezoning amendment process for the reasons cited in more detail in item j below.
g. Open Space			
h. Future Commercial Area	Just north of the baseball/soccer fields and skate park, the developer proposes a small commercial area (refer to Attachments 8 and 9).	Noted that this area is currently designated as open space, and that they did not intend to exceed the proffered 55,000 square feet of commercial use.	<p>First, The “deviations” or “modifications” requested by the developer for a, b (1), c, d, and f do not require approval pursuant to Section 4-115 of the Zoning Ordinance; a preliminary plat revision through the Planning Commission will suffice.</p> <p>The alignment for Brookside Parkway has straightened and shifted slightly southeastward in the vicinity of the Community Recreation Area (ball field and skate park) and the Lake Drive extension slightly northward. Initial inspection represents these as minor deviations from the approved 2002 Concept Development Plan (CDP).</p> <p>Upon further review, it is noted that this move more effectively accommodates the developer’s preferred location for the proposed library site, the relocated village center and the country inn. The developer has shown these land use grouping via colored renditions previously and individually to Board members. From the Department’s perspective, this threshold change trips the approval decision level from administrative staff to the Board of Supervisors public hearing and action venue.</p> <p><u>Even though this proposed relocation of non-residential uses is commendable and more preferred for the Brookside and New</u></p>

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			<p><u>Baltimore community from the staff's perspective, it is not consistent with the currently approved 2002 "Brookside Farm" rezoning and CDP.</u> We consistently have encouraged the developer to follow the rezoning amendment process, since they now have a better and more refined commercial concept.</p> <p>Without the relocated village center and library, the minor alignment change to Brookside Parkway, Lake Drive, the new Millside Lane, Rt. 793 extension and other street network enhancements are not needed in the configuration shown in the pending 2009 construction plan and preliminary plat. Here are some conflict spots or areas of concern that would need further staff and community review and vetting through the public hearing process for amending a rezoning, CDP and associated documentation:</p> <ul style="list-style-type: none"> ▪ Community Center (e.g., building, pool, tennis courts) and Village Center (commercial) land use designations have switched locations. For example, the Village Center had been formerly located more internally to residential neighborhoods (refer to Attachments 6 and 7). More specifically, the commercial area was placed between Pond Court (now Boathouse Road) and the southern portion of Lake Ashby, now it is proposed on the eastern edge abutting both sides of Brookside Parkway (refer to Attachment 9); ▪ The new Village Center location is bisected presently by the FEMA designated 100-Year Floodplain (Zone A). Development in
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			<p>this location will first require a FEMA approved change from the designated Zone A to Zone X. Whether this FEMA change is approved or not, a text amendment to the Zoning Ordinance regarding structures in the floodplain will need to be considered;</p> <ul style="list-style-type: none"> ▪ Additional non-residential use (e.g., Country Inn) could become part of the expanded commercial area (with connections to Lake Drive and Millside Lane). The 2002 CDP designates a portion of this area as open space and “traditional neighborhood” and the section affected would require revision to Village Center; ▪ Expands further the Village Center commercial area east of Brookside Parkway. Designated as “Community Recreation” in the adopted 2002 CDP and would require revision to reflect this land use change; ▪ With the Village Center’s proposed Brookside Parkway location, the developer has changed traffic in the Lake Drive and Rt. 793 neighborhoods. The center’s gravitational attraction and its proposed and direct drive connections with Millside Lane, Lake Drive, and Shepherdstown Road are anticipated to alter traffic patterns and volume from that studied and expected in the approved 2002 rezoning. <p>The proposed land use locational change and traffic are anticipated to place different demands on Lake Drive and Rt. 793. For example, Rt. 793 may need intersectional improvements at Lake Brittle Road/Aiken Drive and Rt. 600. Care needs</p>
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			to be taken regarding the probable changes in volume, need for traffic calming measures and other needed street enhancements to accommodate the network connectivity improvements being proposed.
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